

Entered - 12-06-99 - sb
CL 99L0828 - ALEXIS HOLMES

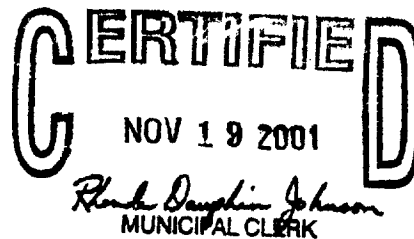
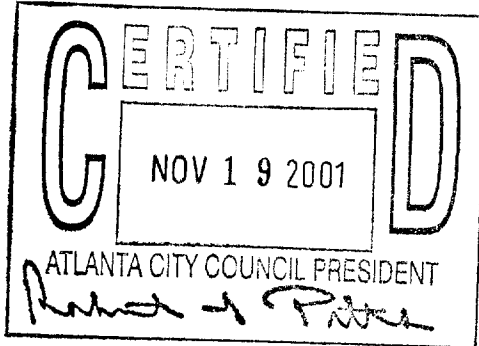
01-R-1842

CLAIM OF: **FAY J. MARTIN**
4126 Glenwood Drive
Gainesville, Georgia 30506

For damages alleged to have been sustained as a result of slipping
down the stairs on October 2, 1999 at the Atlanta Civic Center 395
Piedmont Avenue, NE.

THIS ADVERSE REPORT IS APPROVED

BY: Rosalind Rubens Newell
ROSALIND RUBENS NEWELL
DEPUTY CITY ATTORNEY



ADVERSED BY
CITY COUNCIL NOV 19 2001

ADVERSE REPORT

PUBLIC SAFETY &

LEGAL ADMINISTRATION COMMITTEE

DATE: _____

CHAIR: NOV 19 2001 C. J. Martin

Clara Martin



OFFICE OF MUNICIPAL CLERK

RHONDA DAUPHIN JOHNSON, CMC
MUNICIPAL CLERK

55 TRINITY AVENUE, S.W.
SECOND FLOOR, EAST
SUITE 2700
ATLANTA, GEORGIA 30335
(404) 330-6033
FAX (404) 658-6103

November 30, 2001

Fay J. Martin
4126 Glenwood Dr.
Gainesville, GA 30506

01-r-1842

Dear Ms. Martin:

I sincerely regret that you have been adversely affected by the circumstances raised in your claim for damages against the City of Atlanta. Your time and patience in this matter has been greatly appreciated.

However, I must notify you that the Atlanta City Council Adopted an Adverse Report on your claim at its regular meeting on November 19, 2001. In consultation with the City's Law Department, who conducted an investigation of the situation, the Council has determined that the City cannot accept responsibility for this matter and therefore cannot pay this claim.

If you desire any further information, please contact the City Attorney's Office/Claims Division at (404) 330-6400.

Sincerely,
Rhonda Dauphin Johnson

Rhonda Dauphin Johnson, CMC
Municipal Clerk

cc: Claims Division/Law Department

DEPARTMENT OF LAW - CLAIM INVESTIGATION SUMMARY

Claim No. 99L0828

Date: 10/25/01

Claimant /Victim FAY J. MARTIN

BY: (Atty) _____

Address: 4126 Glenwood Drive Gainesville, Georgia 30506

Subrogation: _____ Claim for Property damage \$ _____ Bodily Injury \$ 7,163.49

Date of Notice: 11/17/99 Method: Written, proper X Improper _____

Conforms to Notice: O.C.G.A. §36-33-5 X Ante Litem (6 Mo.) X

Date of Occurrence 10/2/99 Place: Atlanta Civic Center 395 Piedmont Avenue, NE

Department _____ Division: _____

Employee involved _____ Disciplinary Action _____

NATURE OF CLAIM: The claimant alleges that she sustained injuries when she stepped on a slippery surface and slid down the steps in the balcony at the Atlanta Civic Center during the performance of Riverdance. An investigation determined that at that time of the claimant's incident the company leasing the Civic Center was the responsible entity for the claimant's alleged damages, and not the City of Atlanta. The claim has been tendered to appropriate parties, and the claimant has been advised of the City's action in this matter.

INVESTIGATION:

Statements: City employee _____ Claimant _____ Other X Written X Oral X

Pictures _____ Diagrams _____ Reports: Police _____ Dept Report _____ Other _____

Traffic citations issued: City Driver _____ Claimant Driver _____

Citation disposition: City Driver _____ Claimant Driver _____

BASIS OF RECOMMENDATION:

Function: Governmental _____ Ministerial _____

Improper Notice _____ More than Six Months _____ Other X Damages reasonable _____

City not involved X Offer rejected _____ Compromise settlement _____

Repair/replacement by Ins. Co. _____ Repair/replacement by City Forces _____

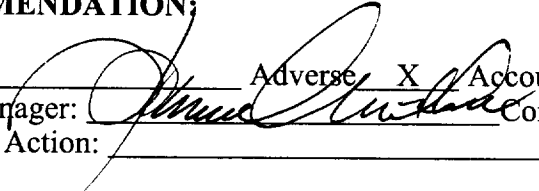
Claimant Negligent _____ City Negligent _____ Joint _____ Claim Abandoned _____

Respectfully submitted,


INVESTIGATOR - ALEXIS HOLMES

RECOMMENDATION:

Pay \$ _____ Adverse X Account charged: 1A01 _____ 2J01 _____ 2H01 _____

Claims Manager:  Concur/date 11-01-01

Committee Action: _____ Council Action _____

RCS# 3297
11/19/01
5:16 PM

Atlanta City Council

Regular Session

MULTIPLE

Unfavorable Claims; Public Safety Items
19 through 37
ADOPT

YEAS: 11
NAYS: 0
ABSTENTIONS: 0
NOT VOTING: 2
EXCUSED: 0
ABSENT 3

| | | | |
|-----------|-----------|-----------|-------------|
| Y McCarty | B Dorsey | Y Moore | Y Thomas |
| B Starnes | Y Woolard | Y Martin | Y Emmons |
| Y Bond | B Morris | NV Maddox | Y Alexander |
| Y Winslow | Y Muller | Y Boazman | NV Pitts |

01-R-1835
01-R-1836
01-R-1837
01-R-1838
01-R-1839
01-R-1840
01-R-1841
01-R-1842
01-R-1843
01-R-1844
01-R-1845
01-R-1846
01-R-1847
01-R-1848
01-R-1849
01-R-1850
01-R-1851
01-R-1853
01-R-1855

MULTIPLE